

STATE CONTROLLER POLICY

Contract Dates

A policy that sets forth the contract dating requirements for state agencies and institutions and describes the purpose of the required dates to be included in state contracts.

Background

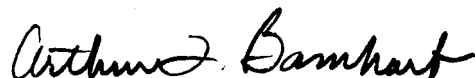
State contracts should contain a made date and an effective date. The made date is the date the parties to the contract have agreed upon the terms and conditions in the contract. This date is important because it is used to identify and reference the contract in other documents, such as contract amendments. The effective date is the date that the contract is signed by the State Controller or a delegate. This is the date that the contract becomes valid and work may begin.

Policy

State agencies and institutions are to enter the "made" date in the first paragraph of their contracts which is the date an authorized individual signs the contract for the state agency or institution.

In capital construction contracts, agencies are to enter the "made date" in the first paragraph of the contract or the "executed date" on the signature page of the contract for bond references to the contract. Agencies must continue, however, to await State Controller approval and satisfaction of other statutory requirements, e.g., receipt of acceptable bonds or insurance certificates, before issuing the notice to proceed.

Completion of a made date does not change the statutory requirement that state contracts are not valid until approved by the State Controller or his delegate. This statutory approval condition appears in Paragraph 1 of the Special Provisions and on approved capital construction contract forms. Consequently, contractors are not contractually required to begin performance or incur costs prior to State Controller approval of the contract.



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State Controller